

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

R. TOD SPIEKER,

Plaintiff,

v.

TANYZIA WYLIE, et al.,

Defendants.

Case No. [15-cv-04501 NC](#)

REPORT AND RECOMMENDATION TO
REMAND TO STATE COURT; REQUEST
FOR REASSIGNMENT TO DISTRICT
COURT JUDGE

Re: Dkt. No. 6

On October 1, 2015, the Court ordered defendant Wylie to show cause why this case should not be remanded to state court for lack of subject matter jurisdiction. The Court then gave Wylie until October 15, 2015, to respond to the Order to Show Cause; otherwise, the Court would remand the action to state court. Wylie has failed to respond.

Accordingly, the Court recommends that the district court remand this case to state court.

None of the parties in this case has consented to the jurisdiction of a magistrate judge. 28 U.S.C. § 636(c). Because the undersigned magistrate judge lacks jurisdictional authority, the clerk must reassign this case to a district court judge. Any party may object to this recommendation within 14 days. Fed. R. Civ. P. 72.

IT IS SO ORDERED.

Dated: December 2, 2015



NATHANAEL M. COUSINS
United States Magistrate Judge

United States District Court
Northern District of California

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 2, 2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Charles Jeffers
Tanysia Wylie
86 W. Rincon Ave, Apt #21
Campbell, CA 95008

Dated: December 2, 2015

Susan Y. Soong
Clerk, United States District Court

By: 
Lili Harrell, Deputy Clerk to the
Honorable NATHANAEL M. COUSINS